Page 2
Serial No. 10/627,181
Response to Office Communication
Notice of Non-Compliant Amendment (37 CFR 1.121)

In the Specification

Please amend the following paragraphs as follows:

[0001] With a device in accordance with the invention a product dispensing container can be firmly mounted to <u>a</u> store shelf so that customers can conveniently sample the contents of the dispensing container.

[0013] The invention also contemplates having a connector that allows the display device to be attached to the front of a typical store shelf or at a point of sale location. The display device is particularly effective for use at on store shelves to allow potential customers to sample product from a dispensing container such as a push top or pump dispenser used for hand lotion.

[0040]As better seen in the exploded view of FIG. 2, the product display device 10 includes a base or drip tray 12, and a back member 14 extending upwardly from the base 12. The back member in this first embodiment includes a back bracket 16 and a slider 18. In the preferred embodiment, the display device 10 also includes a generally flexible retaining member or loop 20 that is looped around the product container 2 near the upper end of the product container and the back member 14 when the device is fully assembled. In the preferred embodiment, the retaining member or loop 20 comprises a length of fishing line, but other flexible materials such as thread, plastic or rubber could be used. The retaining member could also be comprised of one or more rigid sections connected by articulating joints or hinges. The rigid retaining member acts as a rigid dispensing container gripper that grips the dispensing container near its upper end. The retaining member 20 need only be sufficiently movable or adjustable to permit the retaining member to be arranged to be joined between the dispensing product container and the device. The embodiment shown in FIG. 1 and FIG. 2 also includes a connector 22 that engages with the back member 14 and can be attached to a shelf 21 (as shown

Page 3
Serial No. 10/627,181
Response to Office Communication
Notice of Non-Compliant Amendment (37 CFR 1.121)

in FIG. 1) to hold the device 10 on the shelf <u>21</u>. The connector in the preferred embodiment is used to attach the display device to a shelf <u>21</u> in a grocery store at a point of purchase location. A connector 22 can be used to attach the device not only to a store shelf but to any other type of support such as, but not limited to, stands, <u>a poles 23 (as shown in FIG. 2)</u>, walls, ceilings, counters, doors or any other type of support found in the display area of a store. The device 10 without a connector could also be used on a store shelf or counter.

[0044]The back side 34 of the back bracket 16 has a flexible tongue 36 with a nub 38 at the end. This nub 38 is used to engage the slider 18 which is shown in detail in FIGS. 7, 8 and 9. The slider 18 has a series of stepped teeth 42 that extend down the front side of the slider 1618. When the device is assembled, the slider 18 slides down in a channel 40 in the back bracket 16. As the slider slides down the channel 40, the teeth 42 on the slider shown in FIG. 9 begin to engage the tongue 36 and nub 38 of the back bracket. As the teeth 42 engage the tongue 36 and nub 38, the tongue 36 flexes to permit the slider 18 to continue to move downward; however, if the slider 18 is attempted to be moved upward in the opposite direction, the nub 38 locks in the teeth 42 and prevents the slider 18 from moving upward. The slider 18 also has a loop hook 44 around which loop 20 is looped. Other types of hooks or other fastening arrangements could also be used by those skilled in the art to fasten the loop 20 to the back member 14.

[0048]The second embodiment can also be easily attached to a store shelf as a point of purchase display using a connector 48' 22' as described earlier.